



**Department of
Education**

Carmen Farina, Chancellor

OFFICE OF SPECIAL INVESTIGATIONS
INVESTIGATIVE REPORT

Howard Friedman
General Counsel

August 25, 2017

Charity M. Guerra
Executive Deputy Counsel

Re: Jill Bloomberg, Principal, Tenured, File #

Jaclyn B. Vargo
Director

Christina Nowak
Deputy Director

15K464 Park Slope Collegiate¹

Case #16-05340X
#17-02490X
#17-03501X
#17-03502X
#17-03836X
#17-05531X
#17-05727X
#17-06420X
#17-06512X

ORIGINS OF COMPLAINTS

On May 13, 2016, the Office of Special Investigations (“OSI”) received a referral from the Special Commissioner of Investigation (“SCI”) concerning the conduct of Jill Bloomberg, principal, and

A confidential complainant² reported that Principal Bloomberg, and actively recruited unidentified students⁴ to join the Progressive Labor Party (“PLP”), a political organization, by inviting them to participate in organizational activities.⁵

¹ This case was initially assigned to OSI Investigator Michelle Archie then reassigned to OSI Assistant Director Eric Black to complete the investigation.

² Colleen Siegel initially reported her allegations as a confidential complainant, but during the course of this investigation, she consented to disclosure of her identity. A copy of the email consenting to the disclosure of her identity is maintained in the case file.

³ This report later references

to Any reference in this report to is referring to will be referenced using his full name throughout this report for clarity purposes.

⁴ During the course of the investigation, OSI investigators were able to identify some of the students referenced here, many of whom had graduated and could not be interviewed.

⁵ The SCI referral contained no supporting documentation and the case was initially closed due to a lack of information.

On January 25, 2017, OSI received a duplicate referral from SCI, citing the SCI case number referenced in the May 13, 2016, referral but including a substantial amount of supporting documentation.⁶ In these documents, the confidential complainant alleged that fundraising activities for the May Day Rally, a political rally, were held at K464, including a “May Day dessert fundraiser.” These documents also included an allegation that students at K464 were permitted to take a course on Brooklyn History in place of taking a one-unit participation in government course, which is a required course according to New York City DOE and New York State Education Department curriculum policies.⁷

On March 20, 2017, OSI received a referral from SCI concerning the conduct of Principal Bloomberg and
OSI Investigator Michelle Archie reported to SCI that Colleen Siegel, teacher, stated that Principal Bloomberg held a faculty meeting on March 6, 2017, during which she informed staff members that she was under investigation. Ms. Siegel, further informed Investigator Archie that subsequently told Principal Bloomberg that Investigator Archie had shown her a list of staff member and student names. It was further alleged by Ms. Siegel that told Principal Bloomberg that Investigator Archie asked her if she knew about the “communist organizing” that was occurring at the school, which Principal Bloomberg told staff members she believed was DOE retaliation against her.

On March 22, 2017, OSI received a referral from SCI concerning the conduct of Principal Bloomberg. A confidential complainant reiterated the complaints made by Investigator Archie in her March 20, 2017, complaint to SCI regarding a faculty meeting held by Principal Bloomberg, during which she informed staff members that she was under OSI investigation. The confidential complainant reported that a Parent Teacher Association (“PTA”) newsletter, *The Pulse*, was distributed and included a link to a petition in support of Principal Bloomberg related to an ongoing OSI investigation of which she is a subject. The confidential complainant alleged that unidentified staff members at the school felt that the petition was “something of a loyalty oath” and if they failed to sign the petition they would be retaliated against by Principal Bloomberg. The confidential complainant further reported that Principal Bloomberg implied “that anyone who is not with her is an ignorant racist and against students.” The confidential complainant further alleged that Principal Bloomberg was attempting to impede the OSI investigation through these actions.

On April 10, 2017, OSI received a referral from SCI concerning the conduct of Principal Bloomberg and
Investigator Archie reported to SCI that, during her investigation of cases involving the aforementioned subjects, Ms. Siegel informed her⁸ that Principal Bloomberg and had hired

⁶ Due to this new information, the case was reopened and an investigation into the matter was initiated.

⁷ The confidential complainant, who was later determined to be Ms. Siegel, also alleged that Principal Bloomberg refused to arrange an event “for students of all opinions to air their feelings” comfortably in relation to a proposed December 2014 response to incidents that occurred in Ferguson, Missouri. Contained in the documentation provided by Ms. Siegel in support of this allegation was an email from Principal Bloomberg detailing the steps she was taking to allow for students of various opinions to express their viewpoints on the issue, including small student-led group discussions and an open-mic for students to express their opinions. Additionally, students who did not feel comfortable being present at the proposed assembly were permitted to skip the assembly and engage in other activities in the school gymnasium. A copy of the referenced email exchange between Ms. Siegel and Principal Bloomberg is maintained in the case file. Accordingly, OSI did not investigate this allegation.

⁸ Ms. Siegel informed Investigator Archie of the allegations contained in the April 10, 2017, SCI referral via email on March 30, 2017. A copy of this email is maintained in the case file. Because OSI only directly intakes complaints of verbal abuse and corporal punishment, Investigator Archie reported Ms. Siegel’s allegations to SCI and SCI subsequently referred the allegations to OSI to be investigated.

the same attorney in relation to the investigations and the attorney was being paid for by a legal defense fund established by the PTA.⁹

On April 26, 2017, OSI received a referral from SCI concerning the conduct of Investigator Archie reported to SCI that, during the course of investigating the allegations reported to SCI, she was informed by Ms. Siegel that Student A had stated that _____ was going to pick her up on April 8, 2017, and drive her to a PLP meeting in preparation for its participation in the May Day Rally.

On May 30, 2017, OSI received a referral from SCI concerning the conduct of Principal Bloomberg. Ms. Siegel reported that, during five “off the record” staff meetings, Principal Bloomberg impeded the investigation of OSI Case #16-05340X, when she intimidated potential witnesses against her, indirectly prepped other witnesses, spread fear of OSI and the DOE, and made it clear that the staff members were either for or against her. Ms. Siegel alleged that Principal Bloomberg also led staff members to believe that students were in “jeopardy” as a result of the OSI investigation.

On June 5, 2017, OSI received a referral from SCI concerning the conduct of Principal Bloomberg. OSI Assistant Director Eric Black reported to SCI that, during the course of investigating the allegations reported to SCI, it was discovered that, on December 12 and 14, 2016, _____¹⁰ worked as a

at K464 to cover a class for _____ who was out on paternity leave. Assistant Director Black reported that _____ as a former DOE employee, was not eligible to work as a was not processed in the Personnel Eligibility Tracking System (“PETS”)¹¹, and did not have the proper security clearance to be present in K464’s school building.¹² Assistant Director Black alleged that it was the responsibility of Principal Bloomberg to ensure that substitute teachers covering classes at K464 had the proper authorization, were processed in PETS and had obtained the proper security clearance to work with students at the school.

On June 22, 2017, OSI received a referral from SCI concerning the conduct of Principal Bloomberg and Ms. Siegel reported that _____ served on the board of the Len Ragozin Foundation, a not-for-profit organization, while working at the DOE, and that the president of this organization is Principal Bloomberg’s husband. Ms. Siegel further reported that the Len Ragozin Foundation engaged in a financial relationship with K464 by obtaining and paying for an Extended Use Permit¹³ for an event held at K464 on June 3, 2016, and this Extended Use Permit was approved by Principal Bloomberg. Ms. Siegel alleged that it was a conflict of interest for _____ to serve on the board of this organization without a waiver and it was a conflict of interest for Principal Bloomberg and K464 to engage in a financial relationship with an organization run by Principal Bloomberg’s husband.¹⁴

During the course of this investigation, OSI investigators discovered that the Extended Use Permit issued to the Len Ragozin Foundation was in relation to an event being held at K464, which included the screening of the

⁹ During the course of the investigation, OSI investigators learned that Principal Bloomberg also notified staff of her intentions to send a cease and desist letter to the DOE.

¹⁰ _____ retired as a full-time DOE _____ on July 1, 2011. He subsequently served as a _____ and ended his employment with the DOE on January 31, 2014.

¹¹ PETS is a web-based database that allows the DOE to enter staff information into a roster in order to monitor the fingerprinting status of each staff member.

¹² As noted on page 15 of this report, Peter Ianniello, Executive Director for Support Services Division of Human Resources, stated that if _____ did serve as a _____ at K464 in 2016, he did so without proper authorization.

¹³ Extended Use refers to any event at a school that is outside of the normal school day. It is also referred to as Extra Activity. An Extended Use of School Building charge is based on the time, period, space and labor used.

¹⁴ The allegations of potential conflicts of interest that were made in the June 22, 2017, SCI referral to OSI were also made in documents attached to the January 25, 2017, SCI referral to OSI.

documentary film entitled *Profiled*. A portion of the film *Profiled* was filmed at K464 and includes statements made by staff members and students, as well as filming of numerous students and staff members at an event held in the school's auditorium. It was also discovered that Principal Bloomberg ~~may have~~ failed to follow the proper procedures established by Chancellor's Regulation A-640, which governs filming at DOE facilities.

On June 27, 2017, OSI received a referral from SCI concerning the conduct of and ¹⁵, a former DOE Ms. Siegel reported that and used DOE time, resources and computer systems to work on articles that were published in *Challenge*, a newsletter published by the PLP.

INVESTIGATION

COMPLAINANT INTERVIEW:

Colleen Siegel, Teacher:

On March 2, 2017, Investigator Archie interviewed Ms. Siegel at K464. Ms. Siegel stated that she made the original complaint about the matter in May 2016, but she noted that she wanted to remain anonymous due to a fear of retaliation. She noted that she called the case in to SCI in conjunction with Alissa Lembo, a guidance counselor. Ms. Siegel reported that she and Ms. Lembo did not want to speak about this investigation further at the school and she requested that an interview be scheduled for after school hours.

On March 13, 2017, Investigator Archie interviewed Ms. Siegel in the presence of Arthur Solomon and Robert Levine, United Federation of Teachers ("UFT") representatives, at OSI. Ms. Siegel stated that Principal Bloomberg showed a film about the events of Ferguson, Missouri to students during lunch on December 3, 2014, and she added that two teachers from the school attended marches in Ferguson, Missouri. She reported that the two teachers who went to the march, and Stephanie Foard, put up flyers in the school about the march.¹⁶

Ms. Siegel stated that a flyer for the May Day Rally was found on classroom floor. She reported that Marian Jaffee, a teacher, saw a student with the flyer and asked for it. She denied seeing any other buttons, pins or items advocating for communist activity in the school. According to Ms. Siegel, Nathan Maybloom, a teacher, found a student with a paper entitled "No justice under capitalism," which allegedly was utilized in class. Ms. Siegel stated that she met with Principal Bloomberg on December 15, 2014, and informed her that this situation was inappropriate; however, Principal Bloomberg told her, "What do you want me to do about it?"

Ms. Siegel reported that the film *Profiled* was shown at K464 in the evening of June 3, 2016, and attendance was voluntary. She stated that flyers were posted in the school hallways about the film¹⁷ and the PTA newsletter, *The Pulse*, advertised the screening. According to Ms. Siegel, Principal Bloomberg's husband, Adam Lessuck, is the president of the Len Ragozin Foundation and this organization was the sponsor for the film. She reported that Mr. Lessuck collected \$20 donations during the screening of the film at the school. She was not aware of the intended use of the money that was collected. Ms. Siegel claimed that students and staff members were filmed "against their will" and this footage was included in the film. According to Ms. Siegel, was not aware that the latter was in the film.

¹⁵ employment with the DOE ended on September 30, 2015.

¹⁶ A copy of the referenced flyer is maintained in the case file.

¹⁷ A copy of the referenced flyer is maintained in the case file.

Ms. Siegel stated that informed Principal Bloomberg about the investigation and specifically what Investigator Archie had asked about during her interview. Ms. Siegel reported that, on March 6, 2017, Principal Bloomberg called a staff meeting, which included PTA members, aides, secretaries and other staff members, and named some of the staff members who were asked about during interview. She added that the PTA had started a Facebook petition in relation to OSI's investigation.

Ms. Siegel stated that there are no participation in government courses offered at K464 and she noted that the school instead offered a Brooklyn History and economics course. She added that taught the history course and Tina Vojek, teacher, taught the economics course.

STUDENT WITNESSES INTERVIEWED:

On May 16, 2017, the assigned investigator¹⁸ was present at K464 to interview Students A through G. All student interviews were conducted in the presence of Michael Prayor, superintendent.¹⁹

Student A, -year-old female, grade:

Student A stated that she never attended a May Day protest and she did not know what May Day was. She denied having any knowledge of the PLP or of any staff members engaging in political recruitment. Student A reported that she was familiar with the film *Profiled* and she recalled that it was shown at K464 during the previous school year. She denied that she attended the screening of the film at the school and from what she had seen of the film she did not recall seeing any K464 students or staff members in the film. According to Student A, is a longtime family friend and she noted that she had driven with in her vehicle, but never to a political rally.

Student B, -year-old female, grade:

Student B reported that she was involved in student government and the student government was involved in organized rallies. She explained that the topic of these rallies was discrimination against African-Americans or other topics that were in the news, and the rallies aimed to encourage change. Student B denied that she ever attended a May Day Rally and she had no knowledge of any PLP recruitment at K464 by staff members. Student B was familiar with *Profiled* and she added that several students from the school, whose identities she could not recall, were in the film. Student B reported that was her but she denied that he ever discussed the PLP or that had ever come into her classroom. Student B asserted that she was close with all of her teachers and none of them had ever tried to recruit her or encourage her to join a political organization.

Student C, -year-old female, grade:

Student C stated that she had heard of the PLP, but she heard about the organization from people not affiliated with K464. She denied that anyone at her school had tried to recruit her into a political organization. Student C reported that she was involved in student government and the student government had engaged in organizing protests, including protests related to the Black Lives Matter movement and events that occurred in Ferguson, Missouri. She noted that these protests were organized by students from the student government, not staff

¹⁸ OSI Assistant Director Black was assigned to investigate this case on May 15, 2017. Any reference to the assigned investigator in this report refers to OSI Assistant Director Black.

¹⁹ OSI Investigator Evelis Otero was also present during the interviews of Students A through G.

members at the school. She added that the PLP had nothing to do with these protests. Student C stated that she had _____ as a _____ and she denied that any of _____ ever came into the class. Student C stated that she did not want to answer any additional questions without her parents present and the assigned investigator immediately concluded the interview.

Student D, -year-old female, grade:

Student D reported that she heard about the May Day Rally two years ago from friends of her parents and she attended the rally at that time. She added that she had heard teachers at K464 discussing the May Day Rally amongst themselves, but she could not recall the identities of these teachers. Student D reported that her

told a story during English Language Arts class that involved people attending a May Day Rally. According to Student D, staff members told her that she should go to the May Day Rally because it is a good way to meet people and they offered to provide her more information on the rally, but Student D could not recall the identities of these staff members. She denied that _____ ever spoke to her directly about attending a May Day Rally, but he had spoken with her sister, Student E. She added that _____ told Student E that she should come to the May Day Rally because it would be fun. Student D reported that she did not have _____ as a but he was her volleyball coach. She stated that _____ had invited her and other members of the volleyball team to meetings that took place on Saturdays outside of school. She noted that she attended two of these meetings, which took place in Crown Heights at the house of _____ grandmother. She added that there were about eight members of the volleyball team who were present at these meetings. According to Student D, she attended the meetings with her sister, Student E, and Students F and G. Student D stated that these meetings were organized by Student G's mother. She denied that _____ was present at these meetings, but she noted that sister was present. According to Student D, during these meetings, they got together and talked politics, such as issues related to President Donald Trump and immigration, but she denied that they discussed the PLP.

Student D stated that she saw the film *Profiled* at school and added that students who were in the film and staff members at the school promoted the film. She reported that Principal Bloomberg, _____ and Jill Sandusky, assistant principal, all spoke about the film and said that the school was in the film. She explained that they said the school was in the film and the students should come and support it. Student D reported that, during her second period class, they had small group discussions and she noted that during these discussions students that were in the film would discuss what the film was about. She could not recall the identity of the students who discussed the film. Student D reported that after she attended the screening of the film, Principal Bloomberg spoke and then the students left the school building and participated in a Black Lives Matter rally in front of the school. She could not recall what Principal Bloomberg said and she was not aware of who organized the Black Lives Matter rally.

Student D stated that students at the school had been talking about how Principal Bloomberg was under investigation and that she was going to have to go to court. She reported that she attended a PTA meeting and

_____ was talking about how he and Principal Bloomberg were being investigated, but the conversation was brief and then moved onto another topic. She could not recall the details of what _____ said.

Student E, -year-old female, grade:

Student E reported that she heard of the PLP during her social studies class the previous year that was taught by Rhonda Hendrickson, teacher. She could not recall the details of what was discussed in her social studies class. She denied that _____ ever spoke to her about the PLP. Student E confirmed that she had attended meetings at the house of _____ grandmother, during which they held political discussions. Student E heard about the meetings from Student F or from _____ sister. She recalled that she had attended three or four of these

meetings and usually 10 or 11 people were in attendance, including students and parents. She denied that ever attended these meetings or said anything about the meetings.

Student E was aware that *Profiled* was screened at K464, but she did not attend the event. She noted that prior to the screening of the film, staff members were telling students to attend the screening, though she could not recall which staff members were promoting the film.

Student E reported that a variety of protests took place, all of which took place outside of the school. She recalled attending one protest related to police brutality, which took place on the weekend. She added that the protest was organized by the student government at K464.

Student F, -year-old female, grade:

Student F stated that her mother is in the PLP, so she is always involved with their events. She explained that she read the PLP newsletter, *Challenge*, went to PLP meetings and attended the May Day Rallies. According to Student F, encouraged people to attend PLP events, but she denied that he handed out flyers. She stated that he would say things like, "Do you have a problem with people who work too hard? Come out to May Day." Student F noted that was particularly active with the student government at K464, but she denied that she actively participated in the student government. Student F reported that she often attended PLP meetings with her mother's friends which took place at two houses: one was the house of and the other house belonged to . She added that

middle school students usually attend the meetings at house and high school students usually attend meetings at house. Student F stated that she did not have as a and she denied that he had ever spoken to her directly about the PLP. She noted that was her grandmother's friend and, as a result, she knew him prior to attending K464.

Student F received a telephone call from her parent during the interview and she said she was instructed to not speak with the assigned investigator any further. The assigned investigator immediately concluded the interview.

Student G, -year-old female, grade:

Student G stated that her parents are supportive of the PLP and she has heard of and attended May Day Rallies with her parents.²⁰ She denied seeing students from her school at these rallies. She denied that she attended PLP meetings on the weekend and she also denied that students attended meetings at her home. Student G denied that any political organizing by staff members occurred at K464. She noted that she had not heard about this investigation until a court hearing was held.

DOE STAFF WITNESSES INTERVIEWED:

On March 2, 2017, Investigator Archie interviewed at K464.²¹ reported that she heard about the OSI investigation through teachers talking at the school, but she could not recall which teachers or the specifics of what was said. She denied that she ever saw students or staff members march

²¹ was interviewed as a witness on March 2, 2017, during the investigation into OSI Case #16-05340X. She was subsequently added as a subject of this investigation but refused to be interviewed further. Please refer to page 18.

or protest at the school.
school were related to school matters.

stated that the only meetings she ever observed going on at the

Alissa Lembo, Guidance Counselor:

On March 13, 2017, Investigator Archie interviewed Ms. Lembo at OSI, in the presence of Mr. Solomon and Mr. Levine, the UFT representatives. Ms. Lembo denied that she had seen Principal Bloomberg actively recruit students to join the PLP. Ms. Lembo reported that Principal Bloomberg participated in the May Day Rally march and she noted that flyers for the event were found in classrooms at K464. She explained that she was walking in Prospect Park on the day of the event and she witnessed staff members marching, but she did not observe any students participating. She noted that and Lisa Miller, a teacher, were participating in the May Day Rally. Ms. Lembo reported that keeps copies of the *Challenge* newsletter in his classroom and she added that flyers for the May Day Rally were found in classroom. Ms. Lembo reported that Ms. Jaffee had collected a flyer for the rally from a student. According to Ms. Lembo, Joan Heymont, a substitute teacher, covered for Dana Crowley, a teacher, while she was on maternity leave and Ms. Heymont was a member of the PLP. She added that PLP literature and documents were found on the computer used by Ms. Heymont. Ms. Lembo stated that Students D and E participated in the May Day Rally and she added that the march took place outside of the school and not during school hours. She reported that a march took place during the Treyvon Martin case and the students prepared posters in preparation for the march during class time.

Ms. Lembo reported that on March 6, 2017, Principal Bloomberg held a staff meeting and stated that she was fighting the DOE in relation to the treatment of African-American and Latino students regarding the Public Schools Athletic League. According to Ms. Lembo, Principal Bloomberg advised them that she was visited by an OSI investigator, but she was not told what the investigation was regarding. Ms. Lembo added that Principal Bloomberg said that had disclosed to her that the investigator asked about political organizing at the school and showed her a list of staff members and students at the school. Ms. Lembo reported that Principal Bloomberg said whoever had caused this was shameful, and she said, "Injustice for one is an injustice for all." Ms. Lembo stated that the School Leadership Team ("SLT")²² scheduled a meeting on March 16, 2017. Ms. Lembo stated that it was wrong that Principal Bloomberg manipulated students and used them as props.

Marian Jaffee, Teacher:

On May 4, 2017, Investigator Archie interviewed Ms. Jaffee in the presence of Mr. Solomon, the UFT representative, at OSI.²³ Ms. Jaffee stated that she did not have any information related to any staff member driving students to the May Day Rally. She reported that she once found a flyer on the floor about the May Day Rally, but she could not recall what it said. She denied knowing who was in charge of the May Day Rally or details about where it was held. She also denied attending or having any information about a fundraiser for the May Day Rally.

Ms. Jaffee stated that she did not have any information about a staff meeting that was held during which this OSI investigation was discussed. She denied that she attended any such meeting and she did not know if any other

²² According to Chancellor's Regulation A-655, "There must be an SLT in every New York City Public School. SLTs play a significant role in creating a structure for school-based decision making and shaping the path to a collaborative school culture. SLTs are a vehicle for developing school-based educational policies and ensuring that resources are aligned to implement those policies. Functioning in a collaborative manner, SLTs assist in the evaluation and assessment of a school's educational programs and their effect on student achievement."

²³ The assigned investigator was also present during Ms. Jaffee's interview.

staff members attended such a meeting. She recalled that she heard staff members talking about a staff meeting where the investigation was discussed, but she could not recall the identities of these staff members. Ms. Jaffee denied having any knowledge of a cease and desist letter. She noted that she was present at a staff meeting when Principal Bloomberg informed the staff members that she was going to sue the DOE. Ms. Jaffee stated that she did not have any information about who was paying for Principal Bloomberg and legal representation fees and she had not heard anything about a fundraiser or house party to raise funds for their legal defense. She denied knowing anything about a defense committee and she had not been requested to give any money for their legal defense. Ms. Jaffee was unaware if the same attorney was representing Principal Bloomberg and

Ms. Jaffee then stated that she was present at a staff meeting on March 6, 2017, when Principal Bloomberg revealed that an OSI investigation was ongoing, but she could not recall what was discussed. She stated that she never saw the PTA newsletter that discussed the OSI investigation and she was unaware of any Facebook petition that was related to the investigation. She noted that she was not afraid of any retaliation for comments she made during her interview.

Ms. Jaffee stated that she was not aware if Principal Bloomberg, or were members of the PLP, she had never seen them recruiting students to become members of the PLP and she had never seen marches during or after school related to the PLP. She denied that she had seen the PLP newsletter at K464. Ms. Jaffee noted that students marched in front of the school in relation to the Treyvon Martin case, but she was not aware of who participated in this march. She denied that any flyers were distributed for this march and she was not aware of who was in charge of it. She denied that she had ever seen staff members distributing flyers related to a march.

Ms. Jaffee reported that she was not present for the screening of *Profiled* at the school, she did not see any flyers related to the screening and she was not aware of any protests taking place after the screening of the film. She denied having any knowledge about or Ms. Foard showing students films related to protests and demonstrations.

Ms. Jaffee stated that she did not know whether K464 offered a participation in government course.

Maria Braga, Teacher:

On May 4, 2017, Investigator Archie interviewed Maria Braga, teacher, in the presence of Mr. Solomon, the UFT representative, at OSI.²⁴ Ms. Braga refused to make any statements or answer any questions asked by Investigator Archie.

Kajal Vora, Teacher:

On May 4, 2017, Investigator Archie interviewed Kajal Vora, teacher, in the presence of Mr. Solomon, the UFT representative, at OSI.²⁵ Ms. Vora denied that she had any information related to political organizing conducted by Principal Bloomberg, or She had not witnessed any of them recruiting students into the PLP and she had not seen students or staff members marching during school hours. Ms. Vora did not know of any staff member at the school belonging to the PLP and she had not seen any PLP newsletters in the school.

²⁴ The assigned investigator was also present during Ms. Braga's interview.

²⁵ The assigned investigator was also present during Ms. Vora's interview.

She noted that she had observed marches after school, but she would not disclose who participated in these marches. She denied that Principal Bloomberg participated in the marches. According to Ms. Vora, students would organize their demonstrations and they conducted a demonstration against the Travel Ban²⁶ this year. She noted that the demonstration was held right outside of the school and staff members participated, though she would not disclose which staff members participated. She added that Principal Bloomberg participated in this demonstration. Ms. Vora stated that she had no knowledge of any protest related to the Ferguson, Missouri issue because she was not employed at K464 at the time.

Ms. Vora denied that she had seen any flyers at school related to the May Day Rally. She had never seen any students with flyers and she never observed Principal Bloomberg or any staff member posting flyers. She denied that she participated in the May Day Rally fundraiser. She stated that the May Day Rally was held on May 1, 2017, but she did not participate. She had no knowledge of any staff members picking up any students to take them to the May Day Rally. She was unaware of where the rally was held or who was in charge of the rally.

Ms. Vora reported that she was present for the screening of *Profiled* at K464 in 2016 and she noted that posters were put up in the hallway in relation to the screening. She did not know who sponsored the screening, who put up the posters or who was in charge of the screening. She could not recall what the film was about and she could not recall if any fee was charged for viewing the film. Ms. Vora stated that she recognized students and staff members that were in the film, but she could not recall "exactly" who was in the film. She reported that she left before the end of the film and she was unaware if any protest took place afterwards.

Ms. Vora stated that she attended a staff meeting on March 6, 2017, which was held in one of the school's classrooms. She could not recall who attended this meeting and she refused to disclose what was discussed during the meeting. She could not recall if any PTA members were present during the meeting. Ms. Vora reported that an announcement about the staff meeting being held was disseminated by word of mouth. She denied that she ever saw the PTA newsletter *The Pulse*. She denied knowing whether there was any petition related to an OSI investigation. She denied that she had any knowledge about a cease and desist letter. Ms. Vora added that she was not fearful of any retaliation in relation to her interview.

Ms. Vora stated that she was not aware of who paid for Principal Bloomberg and legal defense fees and she did not recall anything about a fundraiser or house party being held to raise funds for their defense. Ms. Vora stated that she was not aware whether the attorneys representing Principal Bloomberg and were representing any other staff members.

Ms. Vora was not aware that there was no participation in government course at K464 and she stated that the Brooklyn History course is taught in the fall.

Fiordaliza Parizale, Guidance Counselor:

On May 24, 2017, the assigned investigator interviewed Fiordaliza Parizale, guidance counselor, in the presence of Mr. Levine, the UFT representative, at OSI.²⁷ Ms. Parizale stated that she had never heard of the PLP, never saw any PLP flyers, and never witnessed any staff members promoting any political organizations.

²⁶ The Travel Ban refers to two Executive Orders issued in 2017, which bar entry into the United States of individuals from designated countries.

²⁷ Investigator Otero was also present during Ms. Parizale's interview.

Katrina Soto, Paraprofessional:

On May 24, 2017, the assigned investigator interviewed Katrina Soto, paraprofessional, in the presence of Mr. Levine, the UFT representative, at OSI.²⁸ Ms. Soto denied that she had ever heard of the PLP or that she had witnessed the recruitment of students into political organizations at the school. She stated that she did not know anything about the May Day Rally or any fundraisers related to it. Ms. Soto reported that she was familiar with the film *Profiled* and she knew Principal Bloomberg was in the film, but she did not have any additional knowledge about the topic. Ms. Soto denied having any information about staff members discussing the OSI investigation at the school during staff meetings.

Lisa Miller, Teacher:

On May 24, 2017, the assigned investigator interviewed Ms. Miller in the presence of Mr. Levine, the UFT representative, at OSI. Ms. Miller stated that she had heard of the PLP, but she had never witnessed any political activities or recruitment take place at K464. She denied that she had ever seen any flyers being passed out at the school related to the PLP. She noted that when she heard from the press that there was an investigation into these issues at the school, she felt the situation was "almost laughable." She noted that people at the school have their own private political beliefs, but she had never observed them displaying them at school. She denied that she had any knowledge of staff members driving students to political rallies.

Ms. Miller denied that she attended any screening of the film *Profiled* and she did not recall any staff members or students promoting the film. She stated that Mr. Lessuck is Principal Bloomberg's husband, but she stated that she did not have any knowledge as to how he or his non-profit was connected to the film. She denied that she had ever seen the film and she did not know if staff members or students were in it. She stated that she had no knowledge of the May Day fundraiser.

Ms. Miller reported that she was aware of a Brooklyn History course offered at K464 and she knew about the course because she used to be a college counselor. According to Ms. Miller, the course was designed and submitted to the DOE as a "College Preparatory" course and she noted that this type of designation is for courses that do not conclude with a Regents examination. She stated that the course was approved by the DOE to be used in place of a participation in government course.²⁹ Ms. Miller noted that Veronica Boyhan, teacher and school programmer, may have more information about the course, but the course may also pre-date her. Ms. Miller added that someone told her about the course, possibly Principal Bloomberg.

Ms. Miller recalled being present at a staff meeting on March 6, 2017, during which Principal Bloomberg stated that she was being investigated and it had something to do with communist organizing. According to Ms. Miller, Principal Bloomberg stated that staff members may be questioned during the investigation, so they should speak to the UFT Chapter Leader about what to do. She did not recall [REDACTED] being present during this staff meeting. She noted that there were a lot of rumors around the school about the investigation, but she was only present for that one staff meeting when the investigation was discussed.

Ms. Miller stated that she had heard that there was a defense committee, but she had not heard that they were soliciting funds or paying for Principal Bloomberg's lawyers. Ms. Miller reported that Principal Bloomberg had told her in a one-on-one conversation that she had sent a cease and desist letter to the DOE, but she had not received a response to her letter.

²⁸ Investigator Otero was also present during Ms. Soto's interview.

²⁹ According to Sara Shumway, Director of Academic Policy, her office was not in possession of any documentation indicating that K464 received approval to offer the Brooklyn History course in place of a participation in government course.

Nathan Maybloom, Teacher:

On May 24, 2017, the assigned investigator interviewed Mr. Maybloom in the presence of Mr. Levine, the UFT representative, at OSI.³⁰ Mr. Maybloom stated that he and Ms. Siegel had “experienced things,” so they decided to accumulate “stuff,” which was the packet of information that was sent to SCI initiating this investigation. Mr. Maybloom acknowledged that he never witnessed Principal Bloomberg approach anyone to try to recruit them to any political organization. Mr. Maybloom reported that he heard a lot about protests and then he later learned they were related to the PLP. He was unable to provide any specifics about these protests, but he noted that they went back over the past six years. According to Mr. Maybloom, there was a Black Lives Matter protest at the school and language similar to that used in the handouts for that protest was used in the PLP handouts submitted to SCI. He denied witnessing any staff members disseminating any PLP flyers. He also denied having any information about a May Day fundraiser.

Mr. Maybloom denied that he had seen *Profiled* and he did not attend the screening of the film in the school’s auditorium. He recalled flyers advertising that the film was going to be shown at the school, but he did not remember who was handing them out. He noted that Principal Bloomberg did talk about the film and she told staff members that they should come and bring a friend to the screening of the film. He added that she discussed the film during a professional development program.

Mr. Maybloom stated that he was aware that Mr. Lessuck was Principal Bloomberg’s husband and found this information out from conducting internet searches about Principal Bloomberg.

Mr. Maybloom reported that when [REDACTED] was absent, [REDACTED] would sometimes cover his class. According to Mr. Maybloom, he would walk by [REDACTED] classroom and when he looked inside he would see students holding papers related to communism. Mr. Maybloom asserted that he witnessed this around four years ago.

Mr. Maybloom stated that there was a professional development meeting on March 6, 2017, during which Principal Bloomberg informed staff members that she was being investigated for communist organizing. He reported that Principal Bloomberg said that [REDACTED] was shown documents and then she had informed Principal Bloomberg what was going on. Mr. Maybloom stated that Principal Bloomberg told the staff members that there were four names mentioned in the investigation and the complaint had been made anonymously. According to Mr. Maybloom, Principal Bloomberg said that after [REDACTED] was shown the documents she came immediately to Principal Bloomberg, and Principal Bloomberg said other staff members should do the same thing. Mr. Maybloom reported that Principal Bloomberg then said that the investigation would affect four staff members and it would have an impact on students as well. He did not remember Principal Bloomberg’s exact words, but she stated that some students may be “illegal” and that an investigation would put them at risk. He added that she made it seem like the investigation would hurt students.

Mr. Maybloom stated that he was aware of a defense committee that had been established for Principal Bloomberg, but he did not know who was on it. He noted that it might have been started by the PTA or the SLT. According to Mr. Maybloom, Principal Bloomberg told staff members that someone on the defense committee was a civil rights attorney and was drafting a letter to the DOE condemning the investigation as retaliation. He denied that he knew who the attorney was that she referenced. Mr. Maybloom denied that he had any knowledge of who was paying for Principal Bloomberg’s lawyer and he did not know about any funds being solicited for Principal Bloomberg’s legal fees.

³⁰ Investigator Otero was also present during Mr. Maybloom’s interview.

Nigel Franklyn, Assistant Principal:

On June 7, 2017, the assigned investigator interviewed Nigel Franklyn, assistant principal³¹, in the presence of Carol Atkins, a Council of School Supervisors and Administrators representative, at OSI. AP Franklyn stated that his office processes all of the Extended Use Permits for the schools located in the building, but he denied that he individually approved each Extended Use Permit. He explained that the principal of each school was responsible for approving their Extended Use Permits and then the permits are given to his office to enter the information in the computer system. He noted that his role is strictly administrative. AP Franklyn stated that he had no information related to the Extended Use Permit that was issued for the viewing of the film *Profiled* at the school. He denied having any knowledge related to the recruitment of students into the PLP.

Veronica Boyhan, Teacher:

On June 20, 2017, the assigned investigator interviewed Ms. Boyhan in the presence of Mr. Levine, the UFT representative, at OSI. Ms. Boyhan stated when she started doing course programming at K464, was already teaching a Brooklyn History course at the school. She claimed that the curriculum for this course was vetted by someone, but she did not know who. According to Ms. Boyhan, the curriculum for the course was submitted by Principal Bloomberg and Rebecca Krucoff, who worked for the Urban Memory Project.³² She noted that the course began being offered approximately five years ago.

Ms. Boyhan stated that one of her job duties was submitting requests for substitute teachers through SubCentral.³³ Ms. reported that was going on paternity leave at the end of 2016 and he prepared a calendar of who would be covering his class while he was out. She noted that was supposed to cover his class two to three days a week as a and on the days he could not cover the class, a substitute or an Absent Teacher Reserve ("ATR")³⁴ teacher would cover the class. She added that this calendar was sent to her and Principal Bloomberg via email. According to Ms. Boyhan, covered class on December 12 and 14, 2016, but the payroll secretary was unable to enter his time in the system and, as a result, he was not paid for this work. She explained that, since he could not get paid, did not work any additional days. She added that this was the first time had served as a at the school, but she had previously seen him at K464 speaking with class one time per semester. Ms. Boyhan denied that she knew what spoke to class about, but, on occasion, she saw inside the classroom when he was there and students were reading through the *Challenge* newsletter.

Ms. Boyhan stated that she had seen posters for the film *Profiled*, but she had never seen the film herself. She noted that Principal Bloomberg had discussed the film, though she could not recall the specifics of where, when and what was said. She added that information about the film was listed in *The Pulse*, the PTA newsletter, and it was also written on the whiteboard in the main office. She noted that she did not see any money solicited in relation to the film, just advertisements that the film was happening. Ms. Boyhan stated that Mr. Lessuck is Principal Bloomberg's husband; she knew this because she met him at the school in the past. Ms. Boyhan was shown a portion of the film *Profiled* and she noted that the section of the film that was filmed inside K464 was

³¹ AP Franklyn is an assistant principal at K684, which shares a school building with K464.

³² Ms. Boyhan did not indicate to whom the curriculum was submitted.

³³ SubCentral is a DOE system that matches substitute teachers with assignments that need staffing.

³⁴ The DOE's ATR pool consists of pedagogical employees who for a variety of reasons, including budget cuts, a decline in a school's enrollment, or changes in the programs offered by the school, have been excessed from their positions. While in the ATR pool, these employees continue to receive their full salary and benefits and fill in for absent teachers on a full-time basis either in the school from which they were excessed or in another school in their district until they are able to secure another teaching position. ATR teachers are used by principals to cover the programs of absent teachers in whatever subject area coverage may be needed.

filmed two to three years prior during Black History Month. Ms. Boyhan reported that she recognized many of the students who were in the film and they were middle school students at the time, so they are still current DOE students.

Ms. Boyhan stated that she was present for the March 6, 2017, staff meeting when Principal Bloomberg discussed the ongoing OSI investigation. She did not recall [REDACTED] being present during this meeting. According to Ms. Boyhan, during the staff meeting, Principal Bloomberg said that investigators arrived at the school, told her she was under investigation and then asked to speak with [REDACTED]. Ms. Boyhan reported that Principal Bloomberg then said that [REDACTED] had given her permission to tell staff members that the investigator informed [REDACTED] that she was investigating allegations of communist organizing at the school and that the investigator had shown her a list of names that included [REDACTED] and Ms. Miller. Ms. Boyhan stated that Principal Bloomberg then twisted the investigation to make it seem that it was being conducted in retaliation for a Public Schools Athletic League complaint she had made.

Ms. Boyhan reported that, on March 29, 2017, Principal Bloomberg held a meeting to update staff members and she discussed the lawsuit that she had filed against the DOE. Ms. Boyhan stated that Principal Bloomberg read a letter out loud that was from the DOE. Ms. Boyhan added that, during one of these meetings, some of the staff members, possibly [REDACTED] made a comment about how the investigations were affecting students, but Principal Bloomberg did not make this comment.

Ms. Boyhan stated that she was aware that there was a defense committee for Principal Bloomberg and she learned this from *The Pulse* newsletter, but she denied that she was present for any meetings when the defense committee was discussed. Ms. Boyhan denied that she had any knowledge of any fundraising for Principal Bloomberg's defense.

Sara Shumway, Director of Academic Policy:

On July 13, 2017, the assigned investigator interviewed Sara Shumway, Director of Academic Policy, via email.³⁵ Ms. Shumway was asked about the allegation that K464 offered a Brooklyn History course in place of a participation in government course required by New York City DOE and New York State Education Department curriculum policies. Ms. Shumway stated, "This would only be acceptable if it was aligned to the same NY State learning standards that cover government...I highly doubt that a course on Brooklyn History is the same, since the content is about the U.S. Constitution, the branches of the federal government, civil rights/liberties, and civics." Ms. Shumway stated that the practice at K464 of offering a Brooklyn History course in place of participation in government course "violates both the NYCDOE policy and the NYSED policy, because students need a credit (half a year's worth) of government/civics...in order to earn a diploma."

On August 15, 2017, OSI Agency Attorney Clayton Cheney interviewed Ms. Shumway, via telephone. Ms. Shumway stated that the Office of Academic Policy was not in possession of any documentation indicating that K464 received approval to offer a Brooklyn History course in place of a required participation in government course. She added that her office would not grant approval for a Brooklyn History course to be offered in place of a participation in government course that is required for graduation.

³⁵ A copy of the referenced email exchange is maintained in the case file.

Peter Ianniello, Executive Director for Support Services Division of Human Resources:

On May 26, 2017, the assigned investigator interviewed Peter Ianniello, Executive Director for Support Services Division of Human Resources, via email.³⁶ Mr. Ianniello stated that [REDACTED] retired on July 1, 2011. Mr. Ianniello noted that [REDACTED] “is not eligible to work per diem at all. We checked per diem payroll and he has not been paid at all in those lines. So – if he did work – he did so without authorization.”

Mallory Sullivan, Deputy Director of the Office of Personnel Investigations:

On May 26, 2017, the assigned investigator interviewed Mallory Sullivan, Deputy Director of the Office of Personnel Investigations, via email.³⁷ Ms. Sullivan stated that [REDACTED] “is not an active DOE employee, he is not listed on any rosters (I checked PETS too) and is not on the school’s [Personnel Not on Budget]. He has no authorization or security clearance to be in the school and working with the student population.”

Michael Aciman and Will Mantel, Deputy Press Secretaries for the Office of Communications and Media Relations:

On June 22 and 26, 2017, the assigned investigator interviewed Michael Aciman, deputy press secretary, and Will Mantel, deputy press secretary, via email.³⁸ The assigned investigator asked Mr. Aciman and Mr. Mantel whether Principal Bloomberg or the administration at K464 made a request to the DOE Office of Communications and Media Relations for authorization for a portion of the documentary film *Profiled* to be filmed at K464. Mr. Aciman stated, “We did not approve this filming.” Mr. Mantel stated, “[T]hey did not approach our office about filming this documentary at the school (dating back to at least October 2014, when I took over this work).”

Karen Hunter, Associate Counsel:

On June 26, 2017, the assigned investigator interviewed Karen Hunter, associate counsel with the commercial unit of the DOE’s Office of the General Counsel, via email.³⁹ Ms. Hunter stated that she did not recall any project called *Profiled* or any request for filming at K464 being approved.

On August 18, 2017, Mr. Cheney interviewed Ms. Hunter, via telephone. Ms. Hunter stated that it was the responsibility of the Office of Communications and Media Relations to grant approval for filming projects conducted at DOE facilities. She noted that, if the Office of Communications and Media Relations was unsure if authorization to film at a DOE facility should be granted, they would consult with her office to determine if authorization should be granted. Ms. Hunter stated that the Office of Communications and Media Relations would process filming agreements and consent forms associated with filming conducted at DOE facilities and if their office had any questions about these documents for a specific project they would consult with her office. Ms. Hunter reported that her office had no information indicating that they were consulted about the filming of *Profiled* at K464 and her office was not in possession of any documentation indicating that they were consulted regarding the filming of *Profiled* at K464.

³⁶ A copy of the referenced email exchange is maintained in the case file.

³⁷ A copy of the referenced email exchange is maintained in the case file.

³⁸ A copy of the referenced email exchange is maintained in the case file.

³⁹ A copy of the referenced email exchange is maintained in the case file.

DOCUMENTARY EVIDENCE:

Documentary Film *Profiled*:

The assigned investigator obtained a copy of the film *Profiled*.⁴⁰ A portion of the film, from minute 44:00 through minute 45:30, was filmed at K464 and includes statements made by staff members and students, as well as filming of numerous students and staff members at an event held in the school's auditorium.

Extended Use Permit Issued by K464 to the Len Ragozin Foundation:

The assigned investigator obtained a copy of the Extended Use Permit issued to the Len Ragozin Foundation for the use of K464 for a screening of the film *Profiled* on June 3, 2016.⁴¹ The Extended Use Permit was approved by Principal Bloomberg on May 5, 2016. The Len Ragozin Foundation made a payment in the amount of \$757.80 to cover cleanup, labor and security costs in relation to the Extended Use Permit for its use of K464 on June 3, 2016. The application for the Extended Use Permit submitted by the Len Ragozin Foundation states that donations would be collected at the door during the screening of *Profiled* and the anticipated amount of donations that would be collected was \$2,000.

Len Ragozin Foundation Information:

The website for the Len Ragozin Foundation, <http://www.lenragozinfoundation.org/contact---donate2.html>, lists Adam Lessuck as president of the organization.⁴² IRS Form-990 filed by the Len Ragozin Foundation lists Adam Lessuck as president and as treasurer.⁴³

Timesheets for

The assigned investigator obtained a copy of the timecards for for work conducted at K464.⁴⁴ The timecards show that on December 12, 2016, he worked at K464 from 8:11 a.m. to 11:58 a.m. and on December 14, 2016, he worked at K464 from 8:08 a.m. to 12:30 p.m.

K464 Master Schedule for the 2016-2017 School Year:

The assigned investigator obtained a copy of the Master Schedule for K464 during the 2016-2017 school year.⁴⁵ The Master Schedule states that taught a Brooklyn History course during Term 1 of the 2016-2017 school year, which according to the Master Schedule counted as a participation in government course.

⁴⁰ A copy of the referenced film is maintained in the case file.

⁴¹ A copy of the referenced Extended Use Permit is maintained in the case file.

⁴² A copy of the referenced webpage is maintained in the case file.

⁴³ A copy of the referenced IRS filing is maintained in the case file.

⁴⁴ A copy of the referenced timecards are maintained in the case file.

⁴⁵ A copy of the referenced Master Schedule is maintained in the case file.

SUBJECT(S):

On May 26, 2017, the assigned investigator notified [REDACTED] that he was a subject of this investigation. [REDACTED] was served with a 48-Hour Notice, which explicitly instructs not to discuss the details of this investigation with anyone at the location of the alleged incident other than his union representative.

On June 20 2017, the assigned investigator interviewed [REDACTED] in the presence of Mr. Levine, the UFT representative, at OSI.⁴⁶ [REDACTED] refused to provide a statement or answer any questions asked by the assigned investigator.

On May 26, 2017, the assigned investigator notified [REDACTED] that she was a subject of this investigation. After serving [REDACTED] with a 48-Hour Notice, which explicitly instructs not to discuss the details of this investigation with anyone at the location of the alleged incident other than her union representative.

On June 20 2017, the assigned investigator interviewed [REDACTED] in the presence of Mr. Levine, the UFT representative, at OSI.⁴⁷ [REDACTED] refused to provide a statement or answer any questions asked by the assigned investigator.

On May 26, 2017, the assigned investigator notified [REDACTED] that she was a subject of this investigation. [REDACTED] was served with a 48-Hour Notice, which explicitly instructs not to discuss the details of this investigation with anyone at the location of the alleged incident other than her union representative.

On June 20, 2017, the assigned investigator interviewed [REDACTED] in the presence of Mr. Levine, the UFT representative, at OSI.⁴⁸ [REDACTED] denied that she drove any student to the May Day Rally. She reported that she was in the movie *Profiled*, a portion of which was filmed at K464, but she noted that she was likely not employed at K464 when the movie was filmed at the school. She added that she began working at K464 in September 2016. [REDACTED] denied knowing Principal Bloomberg's husband and also denied having any knowledge that her husband was involved with the movie *Profiled*. According to [REDACTED] there was a panel discussion for the movie held at K464 that she was involved with prior to her being employed at the school. She could not recall what was discussed during the panel, but she noted that this was when she met Principal Bloomberg. [REDACTED] then stated that during the panel the movie was discussed, but there was no discussion related to donations or the Len Ragozin Foundation.

[REDACTED] denied that she ever saw [REDACTED] working at K464. She stated that she did not know anything about a May Day fundraiser. She denied that she was present at any staff meetings when OSI investigations were discussed.

⁴⁶ OSI Investigator Otero was also present during

[REDACTED] s interview.

⁴⁷ OSI Investigator Otero was also present during

[REDACTED] interview.

⁴⁸ OSI Investigator Otero was also present during

[REDACTED] interview.

On June 16, 2017, the assigned investigator notified [REDACTED] that she was a subject of this investigation. [REDACTED] was served with a 48-Hour Notice, which explicitly instructs not to discuss the details of this investigation with anyone at the location of the alleged incident other than her union representative.

After being served with a 48-Hour Notice, [REDACTED] refused to appear at OSI to be interviewed in relation to the allegations reported to SCI.

Jill Bloomberg, Principal:

On June 16, 2017, the assigned investigator notified Principal Bloomberg that she was a subject of this investigation. Principal Bloomberg was served with a 48-Hour Notice, which explicitly instructs not to discuss the details of this investigation with anyone at the location of the alleged incident other than her union representative.

After being served with a 48-Hour Notice, Principal Bloomberg refused to appear at OSI to be interviewed in relation to the allegations reported to SCI.

CONCLUSION

Ms. Siegel made a complaint regarding the alleged political activities and recruitment of students at K464 by Principal Bloomberg, [REDACTED] and [REDACTED] however, she failed to provide any evidence in support of this allegation and she failed to state during her interview that she observed Principal Bloomberg, [REDACTED] or engage in the recruitment of students into a political organization. No staff member or student interviewed during the course of this investigation corroborated the allegation that Principal Bloomberg, [REDACTED] or [REDACTED] engaged in any impermissible political activities, including recruiting students to join a political organization, on school premises or during school hours. Furthermore, while there is some evidence that PLP political material was distributed or posted at K464, no witness interviewed identified who was responsible for disseminating this material. No witness interviewed corroborated the allegation that fundraising activities for the May Day Rally, including a "May Day dessert fundraiser," were held at K464. Therefore, the allegation that Principal Bloomberg, [REDACTED] engaged in impermissible political activities in violation of Chancellor's Regulation D-130⁴⁹ is **unsubstantiated**.

Ms. Siegel alleged that Principal Bloomberg attempted to impede OSI's investigation into OSI Case #16-05340X by intimidating potential adverse witnesses, prepping witnesses prior to their interviews with OSI and insinuating that staff members were either for or against her; however, Ms. Siegel failed to specifically identify a single witness who Principal Bloomberg impermissibly influenced. Staff meetings were held by Principal Bloomberg, including on March 6 and 29, 2017, during which OSI's investigation was discussed, but the witness statements fail to establish that she attempted to impede OSI's investigation through these staff meetings. No staff member interviewed indicated that they were intimidated or impermissibly influenced by the subjects discussed during these meetings. Therefore, there has been insufficient evidence to corroborate the allegation that Principal Bloomberg impeded an OSI investigation and the allegation is **unsubstantiated**.

⁴⁹ A copy of Chancellor's Regulation D-130 is maintained in the case file.

Ms. Boyhan, Mr. Maybloom, Ms. Lembo and Ms. Siegel all stated that Principal Bloomberg informed them during a staff meeting that had disclosed the subject matter of her interview with Investigator Archie. was not a subject of the investigation at this time and there has been no indication that she disclosed this information to impede OSI's investigation. In addition, her interview was not required to remain confidential. Therefore, the allegation that impermissibly disclosed the subject matter of her interview with Investigator Archie to Principal Bloomberg is **unsubstantiated**.

Student A denied that drove her to the May Day Rally and also denied that she drove Student A, or any other student, to any political event. There has been no corroboration that drove any student to a political event. Therefore, the allegation that drove Student A to a political event is **unsubstantiated**.

A review of the documentary film *Profiled* shows that a portion of the film was filmed inside the auditorium of K464. The portion of the film that was filmed at K464 includes statements made by staff members and students at K464, and also shows numerous students attending an event being held in the auditorium of K464. Chancellor's Regulation A-640 states, "All requests to film or photograph at schools or other school facilities by producers or makers of films, television shows, commercials, news magazine programs, or documentary news must first be made in writing to the Office of Communications and Media Relations." Mr. Aciman and Mr. Mantel denied that any such request was made to the Office of Communications and Media Relations by Principal Bloomberg or any other staff member at K464, and no evidence was obtained to the contrary. Chancellor's Regulation A-640 further states, "No Department employees or students may be filmed or photographed except with the express written permission of the principal and in addition, the respective Department employee or the student's parent or guardian." Chancellor's Regulation A-640 also requires those responsible for filming on DOE premises to "include the Department and the City of New York as an additional insured in commercial general liability insurance policy for a minimum of one million dollars." Ms. Hunter reported that the Office of Communications and Media Relations was responsible for granting approval for filming projects conducted at DOE facilities and she noted that they would consult with her office if they were unsure if authorization for a particular project should be granted. Ms. Hunter stated that her office had no information indicating that they were consulted in relation to the Office of Communications and Media Relations granting approval to K464 to film a portion of *Profiled* at the school and she added that her office was not in possession of any documentation, such as filming agreements, staff member and student consent forms or liability insurance, in relation to the filming of *Profiled* conducted on K464's premises. She noted that her office would only be in possession of such documentation if the Office of Communications and Media Relations had consulted with her office regarding the filming of *Profiled* at K464. On June 23, 2017, OSI requested that Principal Bloomberg produce documentation related to the filming of *Profiled* at K464; to date, Principal Bloomberg has failed to produce any of the documentation requested by OSI.⁵⁰ Principal Bloomberg, as the staff member ultimately in charge of activities at K464, was responsible for ensuring that the procedures established by Chancellor's Regulation A-640 were followed during the filming of the documentary film *Profiled* that was conducted at K464. Therefore, the allegation that Principal Bloomberg violated Chancellor's Regulation A-640 is **substantiated**.

Ms. Boyhan stated that, while was out on paternity leave, was supposed to cover his class two or three times per week. She noted that this schedule was sent to her and Principal Bloomberg. Ms. Boyhan reported that covered class on December 12 and 14, 2016, but the payroll secretary was unable to enter his time in the system. The timecards for show that he worked at K464 on December 12 and 14, 2016. Mr. Ianniello stated that worked at K464 on these dates without proper authorization. Ms. Sullivan stated that was not an active DOE employee and he

⁵⁰ A copy of OSI's request to produce documents that was sent to Principal Bloomberg is maintained in the case file.

worked at K464 on December 12 and 14, 2016, without proper authorization or security clearance to be present in the school and working with the student population. Principal Bloomberg, as the staff member ultimately in charge of activities at K464, was responsible for ensuring that individuals covering for [REDACTED] during his paternity leave were active DOE employees or had the proper authorization and security clearance to teach a class. Therefore, the allegation that Principal Bloomberg impermissibly permitted [REDACTED] to teach Mr. [REDACTED] class on December 12 and 14, 2016, is **substantiated**.

The Master Schedule for the 2016-2017 school year states that a course titled Brooklyn History course was offered in the fall semester to fulfill the required participation in government course. Ms. Boyhan stated that Principal Bloomberg and [REDACTED] submitted the curriculum for the Brooklyn History course, but she was unsure to whom the curriculum was submitted. Ms. Siegel reported that K464 did not offer a participation in government course and only offered the Brooklyn History course in its place. Ms. Shumway stated that it would only be permissible to offer the Brooklyn History course in place of the required participation in government course if it aligned to the same learning standards. She denied that her office would grant approval to offer a Brooklyn History course to fulfill the required participation in government course. She also reported that K464's practice of offering a Brooklyn History course in place of a participation in government course violated New York City DOE and New York State Education Department policies because a one-unit participation in government course was required in order for a diploma to be obtained. The Office of Academic Policy is not in possession of any documents indicating that approval was granted to K464 to offer the Brooklyn History course to fulfill the required participation in government course. Neither Principal Bloomberg nor any other staff member at K464 produced any documentation indicating that approval was granted by the DOE to offer the Brooklyn History course to fulfill the required participation in government course. Neither Principal Bloomberg nor any staff member at K464 produced any documentation showing that the Brooklyn History course curriculum aligned with the participation in government course curriculum. Principal Bloomberg, as the staff member ultimately in charge of activities at K464, was responsible for ensuring that the academic curriculum at K464 complied with New York City DOE and New York State Education Department curriculum requirements. Therefore, the allegation that Principal Bloomberg violated New York City DOE and New York State Education Department academic policies is **substantiated**.

Conflicts of Interest

Chancellor's Regulation C-110⁵¹, addressing conflicts of interest, states, "The Conflicts of Interest Law as well as Department of Education rules prohibit Department of Education officials and employees from having private interests that may conflict with their official duties." (Chancellor's Regulation C-110 also incorporates the Conflicts of Interest Law, Chapter 68 of the New York City Charter, by reference.) The Conflicts of Interest Law provides that "No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant." Charter § 2604(b) (3). A spouse is deemed to be a person "associated" with a public servant. See Charter § 2601(5).

Chapter 68 also prohibits the use of City or DOE resources or time for personal matters. See Charter § 2604(b) (2) and COIB Rule 1-13.

Furthermore, in Advisory Opinion No. 2017-2, the New York City Conflicts of Interest Board held that "contributions to legal defense funds to defray those legal expenses must be viewed as gifts to those public

⁵¹ A copy of Chancellor's Regulation C-110 is maintained in the case file.

servants within the meaning of Chapter 68," and determined that "a public servant may accept, whether through a legal defense fund or otherwise, gifts to offset legal expenses only on the following terms:

- 1) A public servant may not accept contributions from his or her City subordinates.
- 2) A public servant may not accept a valuable gift, that is, a contribution of \$50.00 or more, or a series of contributions (or other gifts) over any twelve-month period worth \$50.00 or more, from any person or firm having, or intending to have, business dealings with the City. If two or more donors are relatives or domestic partners of one another, the \$50.00 per twelve-month period restriction applies to the aggregate of their donations. So, too, if two or more donors are directors, trustees, or employees of the same firm or affiliated firms, the public servant may not accept contributions totaling \$50.00 or more in the aggregate from such groups of people in any twelve-month period. A public servant is required to make a reasonable inquiry to determine if a donor has business dealings with the City.
- 3) A public servant may accept contributions in any amount from a family member or close personal friend who is not engaged in business dealings with the City, who does not appear before the City, and who otherwise has no non-ministerial dealings with the City.
- 4) For contributions from virtually all others—from non-subordinate City employees, constituents, and others who, although not engaged in business dealings with the City, know of a public servant by virtue of his or her City position—the Board will presume that the public servant is being offered contributions only because of his or her City position. As a result, the public servant's acceptance from these persons of a valuable gift, that is, a contribution of \$50.00 or more, would presumably violate Charter Section 2604(b)(3) as a misuse of the public servant's City position.

During the course of this investigation, potential conflicts of interests involving staff members at K464, as set forth below, were identified by OSI.

An Extended Use Permit was issued to the Len Ragozin Foundation to screen the documentary film *Profiled* at K464 on June 3, 2016. The Extended Use Permit was approved by Principal Bloomberg on May 5, 2016. The Len Ragozin Foundation entered into a financial relationship with K464 and the DOE when it made a payment of \$757.80 for costs associated with the Extended Use Permit. The application for the Extended Use Permit submitted by The Len Ragozin Foundation stated that donations would be collected at the door during the screening of *Profiled* and the anticipated amount of donations that would be collected was \$2,000. Ms. Siegel stated that during the screening of *Profiled* at K464, Mr. Lessuck collected donations from those in attendance, though she was unaware of the amount or intended use for the money that was being donated. Tax documents for the Len Ragozin Foundation state that the organization's principal officer and president is Adam Lessuck. The information that OSI obtained during this investigation, including statements by Ms. Boyhan, Ms. Miller and Ms. Siegel, indicate that Mr. Lessuck is Principal Bloomberg's husband. Principal Bloomberg refused to be interviewed during the course of this investigation and, as a result, OSI cannot confirm Mr. Lessuck is her husband.

The tax documents obtained for the Len Ragozin Foundation state that [REDACTED] has served as the treasurer of the organization since 2014. [REDACTED] was hired as a DOE employee at K464 as a [REDACTED] on March 13, 2016. [REDACTED] was serving as the treasurer of the Len Ragozin Foundation when he was hired at K464. Principal Bloomberg is the principal at K464 and her husband, Mr. Lessuck, is the president of the Len Ragozin Foundation.

Ms. Siegel provided OSI with a copy of an April 5, 2017, PTA announcement for a "Defense Committee Meeting" being held by the PTA at K464.⁵² Ms. Miller reported that she had heard that a defense committee had been established for Principal Bloomberg, but she had never heard that they were soliciting funds to pay for Principal Bloomberg's legal representation. Mr. Maybloom and Ms. Boyhan stated that they were aware of a defense committee that was established for Principal Bloomberg; however, they were unsure if funds were collected to pay for Principal Bloomberg's legal fees in relation to OSI's investigation. During the course of the investigation, Investigator Archie was informed by Ms. Siegel that Principal Bloomberg and [REDACTED] had hired the same attorney and their legal fees were being paid by a defense fund established by the PTA.

Ms. Siegel provided OSI with documents related to the PLP and documents related to the newsletter, *Challenge*, which is published by the PLP that were allegedly discovered on DOE computers operated by [REDACTED] and [REDACTED]

⁵³ She alleged that [REDACTED] and [REDACTED] conducted work on these documents during DOE hours using DOE computers. A more extensive inquiry into the documents and the computer(s) in question would need to be conducted to determine the validity of this allegation.

RECOMMENDATION

It is the recommendation of this office that this report be referred to the New York City Conflicts of Interest Board for it to determine whether the potential conflicts of interest as identified above are conflicts of interest under Chapter 68, and to take such appropriate action as it deems necessary.

It is the recommendation of this office that a copy of this report be referred to the Administrative Trials Unit ("ATU") so that a Technical Assistance Conference ("TAC") may be convened, and appropriate disciplinary action may be determined for Jill Bloomberg, principal.

SUBMITTED BY:



Eric Black
Assistant Director

APPROVED BY:



Jaclyn B. Vargo
Director

⁵² A copy of the referenced document is maintained in the case file.

⁵³ Copies of the referenced documents are maintained in the case file.